

6. Statement by the Minister for Home Affairs regarding the Acting Chief Officer of the States of Jersey Police

6.1 Senator B.I. Le Marquand (The Minister for Home Affairs):

I believe that Members of this Assembly now have in front of them my statement but also a statement from the Acting Chief Officer of the States of Jersey Police. Of course, I merely deal with my statement. I rise to inform the States that the Acting Chief Officer of Police, David Warcup, has informed me that he is no longer willing to be considered for the post of Chief Officer States of Jersey Police and that as a result, he will be leaving the force on 31st December 2010. It is with great regret that I have accepted his decision. I have asked the Greffier to circulate a copy of his statement which is now on Members' desks. Members will note that I lodged a proposition in March of this year in which I asked the States to agree to his appointment. Mr. Warcup was originally appointed under Appointments Commission oversight. At that time, he was assessed against the requirements of the Chief Officer of Police post. He was therefore appointed with the express commitment that he would become the Chief Officer subject to a further assessment at that time and subject to the agreement of the States. I confirm that Mr. Warcup has demonstrated his ability and suitability during his time as Acting Chief Officer and this has been validated by the panel chaired by the Appointments Commission. I am therefore extremely disappointed that the delay and subsequent politicisation of the process has resulted in his decision to leave the States of Jersey Police. As Minister for Home Affairs I have worked with Mr. Warcup for the past 19 months.

[17:15]

I have found him to be a man of integrity with a deep understanding of policing in all of its aspects. He has demonstrated his ability to manage and motivate police officers in order to improve performance and increase the professionalism of the force. What has most impressed has been his selfless commitment, regardless of his personal consequences, to expose the failings that have been identified by the Metropolitan Police and Wiltshire in order that justice could be served. I would also like to recognise that Mr. Warcup has shown his empathy for policing in a small island community and under his leadership, with my full support, the police force is starting to demonstrate a real recognition that effective policing is not done to a community, but only with the support of the community. I am extremely saddened that events over recent months have resulted in the loss of an extremely able and committed officer who, I believe, would have led the States of Jersey Police to become a more effective police force. While I am saddened by the loss of Mr. Warcup, we have secured his services until 31st December 2010, in order to manage as smooth a transition as possible to a new Chief Police Officer. Under the Appointments Commission oversight, I will be starting the appointment process immediately and I hope to have secured the appointment, subject of course to States approval, of a suitably experienced and qualified officer by the end of September. This should allow the new Chief of Police to be in post at, or very soon after, Mr. Warcup's departure. I think that we, as the States elected representatives, must seriously reflect on our roles in the events of recent months and how we will avoid any similar repetition in the future. I hope that Members of the Assembly will join with me in thanking Mr. Warcup for his selfless and unstinting commitment to service **[Approbation]** - I am very

grateful to Members, on behalf of Mr. Warcup - to serving the community of Jersey and that we will all wish him well for the future.

The Deputy Bailiff:

You are not proposing to read the statement of Mr. Warcup, Minister, are you?

Senator B.I. Le Marquand:

No indeed, Sir, that is purely for information. That is his statement.

6.1.1 Deputy J.B. Fox of St. Helier:

As a retired Member of the States of Jersey Police, I think it is proper that I should be allowed to speak. It is proper also to say that the police service, all the way through the years, goes through periods of ups and downs and we have been through a very down period for an awful long time.

The Deputy Bailiff:

Just questions to the Minister, Deputy.

Deputy J.B. Fox:

Yes, Sir. But if you would allow me to just say one word. I would like, if the Minister would agree, to send our thanks to this current Acting Police Chief Officer, who has brought back some dignity to the States of Jersey Police and ask that if he would kindly do that on behalf of myself and my previous colleagues who have spoken to me over the period of time.

Senator B.I. Le Marquand:

Although there are Members who will dissent from that, I take it that there is the overwhelming majority in favour of my carrying the best wishes to Mr. Warcup, which I will do.

6.1.2 The Deputy of St. John:

I too would like to thank Mr. Warcup for what he has done to date for this Island and keeping a level head when other people have been carrying on in certain ways. Will the Minister be taking a report to P.P.C. (Privileges and Procedures Committee) about the manner in which certain States Members have been acting in relation to Mr. Warcup [Approbation] over the next few weeks?

Senator B.I. Le Marquand:

I deeply regret the way in which certain States Members have acted in this matter. I deeply regret the petty insinuations that there have been that Mr. Warcup is a liar, that he has acted in his own self interest, *et cetera*. Those were, in my view, disgraceful assertions. I have sought to deny them as strongly as I can at all times. I am afraid now the consequences of such behaviour have come home to roost. If we are going to continue to have such unwarranted attacks on loyal and honest members of the staff, who work within the States remit, then we are not going to be able to keep good people and the Island will pay the consequences for that. I was most moderate in my initial comments in relation to this. Mr. Warcup, for himself, has made plain in his statement that he had reached a point where he accepted that no matter what he did, there would

remain a remnant, there would remain a part this Assembly and a part of this Island who would view him with disfavour for ever and would always seek to trip him up and to find the worst possible view of anything which he did, and that is one of the reasons why he has decided not to stay so that, at least, the next person coming in will, hopefully, have a clear run and will be able to start without this unwarranted black mark against his name. **[Approbation]**

The Deputy of St. John:

The Minister did not answer whether or not he would take this up with P.P.C.

Senator B.I. Le Marquand:

I am afraid the Minister got rather excited in his answer and forgot what the question was. If the ...

The Deputy Bailiff:

Will you take up complaint with the P.P.C. about other Members?

Senator B.I. Le Marquand:

I think that will be difficult for me to do, but if others feel that is appropriate then they could do so. Of course I am also a member of the P.P.C. Committee which makes it very difficult for me.

6.1.3 Senator B.E. Shenton:

I am obviously disappointed with the news but I am a little concerned because I feel that the Minister for Home Affairs should have been stronger in this matter and where he dithered and kept moving back the opposition to appoint Inspector Warcup, he acceded to the requests of minority Members in the Parliament and kept moving back a proposition, giving no certainty to the Inspector. How much blame does the Minister put on himself for dithering and not being stronger in his actions?

Senator B.I. Le Marquand:

Absolutely none. I was faced with this impossible position that in discussions with the Acting Chief Officer, it was clear that he took the view that if there was substantial opposition to his appointment that he would not feel able to take up the appointment, therefore it was impossible for me to go forward. My own view was that if I had forced the issue, although there would have been a majority in favour, there might have been something between 18 and 20 against and, in those circumstances, he would have not taken up the matter. That put me into an extremely difficult position, in which I sought to delay in order to reduce the numbers who would vote against him, although always knowing that there would be those who would, but in the interim period, of course, he arrived at the point at which he had arrived. I do not believe that I am in any way at fault, because whichever route I would have taken would sadly have ended in the same point.

Senator B.E. Shenton:

I put it to the Minister that he misjudged the Assembly and Mr. Warcup would have had far more support than he says in his speech just then.

Senator B.I. Le Marquand:

That I cannot predict. But, certainly, there was strong opposition from Members such as Deputy Trevor Pitman, from the Deputy of St. Martin, from Deputy Wimberley who, amazingly, continued his opposition today in a previous question. My assessment is that, without the information that was being sought by Members, those would have been the sort of numbers and anything of that level, or even lower, would have probably led to the same position.

6.1.4 Deputy T.M. Pitman:

Can I just clarify - as I do not want to be misrepresented - I focused on the process, which is entirely correct.

The Deputy Bailiff:

Deputy Pitman, it is question time. Deputy Jeune.

6.1.5 Deputy A.E. Jeune:

Would the Minister agree that it is likely the States of Jersey are going to find it incredibly difficult to get somebody of such a high calibre again [**Approbation**] and, in that event, as it is very likely we will not have anybody coming back, by December we will not have anybody to take the position, would he be prepared to speak to the current post holder and ask him if he would be prepared to stay on until such time as we can find somebody?

Senator B.I. Le Marquand:

I have, of course, already asked him that very point. Members of this Assembly must understand that because the Acting Chief Officer is currently the Deputy Chief Officer that, effectively, the result of this is that we will now have vacancies in the top 3 ranks of the police, because the third ranked officer has just left as well. I will take whatever steps are necessary to ensure that we have strong interim leadership of the police force during the interim period.

6.1.6 The Connétable of St. Lawrence:

I, like many other Members, am saddened to hear of this resignation, but certainly not surprised. I recall, as Chairman of the Education and Home Affairs Scrutiny Panel, that a draft proposal for a police authority was given to us, for discussion and consideration, a couple of years ago at least, and we made comments on it and they were returned to the then Minister for Home Affairs. I know that this Minister for Home Affairs supports the introduction of a police authority and I am sure, had one been in place, much of what has happened, the impact would have been lessened by the authority being there. My question to the Minister, then, is how soon will he be in a position to bring forward proposals to the House for the setting up of a police authority?

Senator B.I. Le Marquand:

It is my intention - and I am being assisted here by a working party which is advising me and I have indicated to this House - to bring a proposition, in principle, before the end of this year. We have made considerable progress, very rapidly initially, but there is now some additional work that needs to be done on the very tricky area of the balance between operational freedom, on the one hand, and proper oversight, on the other. I am

hopeful that once a police authority is in place, that the current very high level of politicisation of police related matters may recede. I am not entirely hopeful, because some Members seem to want to continue to raise such issues in this Assembly and elsewhere and I suspect that that will continue, to a degree, but the existence of a police authority which is non political - it may have States Members on it but they will have to act responsibly in a non political way - will hopefully act as some sort of buffer for the future.

The Deputy Bailiff:

Thank you. The 10 minutes allowed for questions on a statement of this nature has now expired. Minister, presumably you will be withdrawing P.30 at this stage?

Senator B.I. Le Marquand:

Yes, that is absolutely right. Thank you for reminding me.

The Deputy of St. Martin:

Maybe at this time it may be also that I will withdraw my P.33.

The Deputy Bailiff:

We now come to a statement to be made by the Minister for Treasury and Resources.